

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias, Rio Cebolla,  
Canjilon Creek

**ORDER GRANTING MOTION FOR DEFAULT JUDGMENT**

THIS MATTER is before the Court on Plaintiff State of New Mexico, *ex rel.* State Engineer's (State's) Motion for Default Judgment filed August 9, 2006 (Docket No.8357). The State requests that the Court grant judgment against Unknown Claimants of Interest to Surface Waters in the Rio Nutrias, Rio Cebolla and Canjilon Creek Sections of the Rio Chama Stream System (Section 3), finding that those Defendants have no surface water irrigation rights in Section 3 of the Rio Chama Stream System and barring any future claims of right that may arise.

Being fully advised in the premises, the Court finds

1. The July 25, 2000, Procedural Order for the Adjudication of Water Rights Claims in the Rio Nutrias, Rio Cebolla and Canjilon Creek Sections of the Rio Chama Stream System at ¶ V.I. (No. 5913) mandates that any individuals claiming water rights with the Rio Nutrias, Rio Cebolla and Canjilon Creek Sections whose claims were not included in the State's hydrographic survey file statements of omitted claims with the Court on or before December 28, 2001.

2. The Court has jurisdiction over Unknown Claimants of Interest to Surface Waters of the Rio Nutrias, Rio Cebolla and Canjilon Creek as shown by the Proof of Publication of Notice of Pendency of Suit filed December 26, 2001 (Doc. No. 6470).

3. These unknown claimants of interest are in default for failure to appear, answer, or otherwise submit any statements of claim.

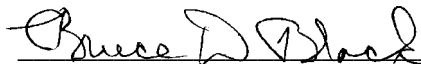
4. No responses to this Motion have been filed.

5. The adjudication of the surface water irrigation claims in the Rio Nutrias, Rio Cebolla and Canjilon Creek Sections is drawing to a close, and the parties contemplate that a final partial decree will be entered for these sections in the near future.

IT IS ORDERED, THEREFORE, that the State's Motion is GRANTED.

IT IS FURTHER ORDERED that all claims to surface water irrigation rights in the Rio Nutrias, Rio Cebolla and Canjilon Creek Sections of the Rio Chama Stream System brought by these unknown claimants of interest are barred from consideration by this Court in these proceedings.

IT IS SO ORDERED



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BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

Recommended for entry:

  
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SPECIAL MASTER VICKIE L. GABIN